

## ORDINANCE NO. 228

AN ORDINANCE AMENDING ORDINANCE NUMBER 121; PROVIDING FOR A UTILITY DEPOSIT BEFORE A CUSTOMER MAY OBTAIN WATER, SEWER OR TRASH COLLECTION SERVICE; PROVIDING FOR FEES FOR CONNECTION AND RECONNECTION TO THE CITY OF TIOGA WATER SYSTEM; PROVIDING FOR AUTHORITY TO ENFORCE ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALING CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City Council of the City of Tioga has previously adopted Ordinance number 121, as amended in Ordinance No. 196, providing for fees for connection and reconnection to the City of Tioga Water System and requiring a utility deposit be paid before a customer may obtain water, sewer or trash collection service; and

WHEREAS the need to amend the Ordinance has arisen;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS;

### SECTION 1

From the Date of passage of this Ordinance, Ordinance No. 121, Section 2, and any amendments thereto, is hereby amended to read as follows:

1. Before any customer, except as provided below, may obtain services from the water, sanitary sewer or trash collection system, said customer must pay a deposit. The deposit, or a portion thereof, will be refunded to the customer when final service is rendered, providing the final bill has been paid or that there is a deposit balance remaining after the deposit has been applied toward the final bill.
  - A. Residential Customers: The deposit for residential customers shall be \$100.00
  - B. Commercial and Industrial Customers: The deposit for commercial and Industrial Customers shall be \$150.00.
  - C. Exemptions: The following customers shall be exempt from a deposit:
    1. School and College Districts.
    2. County, State and Federal Government agencies.
    3. Churches, if building is designated as a place of worship.
    4. Landlords using water and sewer services to clean a structure for rental may have service without paying a deposit for a period of not more than thirty (30) days.
2. A connect fee of \$20.00 shall be charged when the water meter is turned on for new service or for transfer of service from one location to another. The connect fee shall apply to customers inside and outside the city limits. If water is turned on for a landlord to clean a structure for rental, the connect fee shall

not be charged to the landlord. Also, if customers request a temporary disconnect from water service in order to effect repairs, the connect fee shall not apply.

3. If water has been turned off for non-payment, a reconnection fee of \$20.00 shall be charged when the meter is turned back on, if the meter is turned on during regular office hours.
4. If water has been turned off for non-payment, a reconnection fee of \$40.00 shall be charged if the City is required turn on the meter after regular working hours, or weekends or holidays.
5. A reconnection fee of \$50.00 shall be charged if the City finds that the customer has turned the meter on after it has been disconnected by the City for non-payment.

### SECTION 3

Authority to enforce this Ordinance shall be vested in the Mayor or his/her assign or agents.

### SECTION 4

If any Section or part of any Section or paragraph of this Ordinance is declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other Section or Sections or part of a Section or paragraph for this Ordinance.

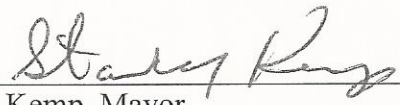
### SECTION 5

The City Council of the City of Tioga declares that this Ordinance be in full force and effect after its reading and passage.


### SECTION 7

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

PASSED ON THIS 13TH DAY OF SEPTEMBER, 2004.

  
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Stanley Kemp, Mayor

ATTEST:

  
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City Secretary